



SHEEHAN & SHEEHAN, P.A.
Attorneys at Law | Est. 1954

Joshua A. Allison	Of Counsel	40 First Plaza NW
Craig T. Erickson	Briggs F. Cheney	Suite 740
Dan E. Gershon	Lawrence J. Horan	Albuquerque, NM 87102
David P. Gorman	Thomas J. Horan	PO Box 271
Susan C. Kery	Timothy M. Sheehan	Albuquerque, NM 87103
Nicholas H. Mattison	Wendy E. York	
Matthew C. Sanchez	Founder	Tel 505.247.0411
Quentin Smith	Pat Sheehan	Fax 505.842.8890
Barbara G. Stephenson	(1918 - 2010)	SheehanSheehan.com
John W. Utton		

June 21, 2013

Board Members and Advisory Board Members
Asociación de Acéquias Norteñas de Rio Arriba

Re: Rio Chama Shortage Sharing: 2013 Irrigation Season

Dear Board Members:

The Acéquias Norteñas have called a meeting on Monday, July 1, 2013 at 5:30 pm at the County Commission Chambers in Tierra Amarilla to discuss implementation of voluntary shortage sharing for the remainder of this irrigation season. Because of continued drought, flows of the Rio Chama have dropped to very low levels. As of June 21, 2013, flow at the La Puente Gage was 29 cubic feet per second.

The State Engineer and the Interstate Stream Commission have asked the Rio Chama Acequia Association (comprised of acequias diverting from the lower Rio Chama) to begin rotation among their ditches next week. Likewise, the RCAA has asked upper ditches to begin shortage sharing by cutting back on diversions. Enclosed is the shortage sharing table and provisions approved by the Acéquias Norteñas Board at the end of last year. All ditches listed, both community and private, are being asked to limit their diversions as shown in the schedule.

Please send a representative of your ditch to the meeting on July 1 so that shortage sharing provisions can be fairly implemented. We will be coordinating our efforts with the State Engineer Water Master. Representatives of the State Engineer, Interstate Stream Commission and RCAA will also be in attendance.

Thank you for your cooperation with this effort. We hope these voluntary and cooperative actions will allow us to get through this irrigation season.

Very truly yours,

SHEEHAN & SHEEHAN, P.A.

By: JOHN W. UTTON

JWU:tmm
Enclosures

June 21, 2013
Page Two

Copy: State Engineer
NM ISC
Rio Chama Acequia Association

S:\17296192\LETTERS\Brd.Ltr re Shortage Sharing.062113.doc

DRAFT - FOR DISCUSSION PURPOSES ONLY

Upper Chama Shortage Sharing									
Ditch	Priority	Acreage	Max. Month Diversion Requirement (0.021 cfs/acre)	La Puente Gage Flow	>50 cfs	40-49 cfs	30-39 cfs	20-29 cfs	<20 cfs
Pre-1907 Ditches									
Chama Town	1899	14.58	0.31	0.31	0.24	0.21	0.15	0.15	0%
Chama Valley	1893	48.62	1.02	1.02	1.00	1.00	1.00	1.00	1.00
Chama Valley #1	1890	29.98	0.63	0.63	1.00	1.00	1.00	1.00	1.00
Chama Valley #3	1890	33.12	0.70	0.70	1.00	1.00	1.00	1.00	1.00
Unnamed #2	1861	104	2.18	2.18	1.75	1.53	1.09	1.09	1.09
Barranco	1861	376.9	7.91	7.91	6.33	5.54	3.96	3.96	NA
Sanchez y Chavez	1877	111.6	2.34	2.34	1.87	1.64	1.17	1.17	NA
Plaza Blanca	1861	170	3.57	3.57	2.86	2.50	1.79	1.79	NA
Trujillo	1877	12.8	0.27	0.27	0.22	0.19	0.13	0.13	NA
Cañones Creek #1	1861	175	3.68	3.68	2.94	2.57	1.84	1.84	NA
Ensenada	1861	982.1	20.62	20.62	16.50	14.44	10.31	10.31	NA
Parkview	1861	1152.2	24.20	24.20	19.36	16.94	12.10	12.10	NA
El Porvenir	1861	365.2	7.67	7.67	6.14	5.37	3.83	3.83	NA
Brazos Community	1861	116.3	2.44	2.44	1.95	1.71	1.22	1.22	NA
La Puente	1861	308	6.47	6.47	5.17	4.53	3.23	3.23	NA
Las Tres Plumas	1880	64.2	1.35	1.35	1.08	1.00	1.00	1.00	NA
Subtotals		4065	85	85	69	61	45	45	0%
Post 1907 Ditches									
MB Valley Ditch	1931	107.48	22.65	22.65	15.85	11.32	6.79	6.79	0%
Chamita Valley	1918 & '22	150.12	3.15	3.15	2.21	1.58	1.00	1.00	NA
Ranch 101 A & B	1915	60.7	1.27	1.27	1.00	1.00	1.00	1.00	NA
Willow Creek Mesa	1918	167.38	3.51	3.51	2.46	1.76	1.05	1.05	NA
Rice River Pumps	1922 & '26	1212.9	25.47	25.47	17.83	12.74	7.64	7.64	NA
Subtotals		2723	58	58	41	30	19	19	0%
TOTAL DIVERSION (cfs)	6787	143			143	110	91	63	0%

Potential Terms of Agreement – November 12, 2012

1. Trigger for shortage sharing. Shortage sharing will be in effect when supply available to the RCAA is below 50 cfs as measured at La Puente Gage. When flows at La Puente Gage drop below 50 cfs and there is no supplemental supply available to the RCAA such as stored water, shortage sharing will begin and the maximum diversion limits will apply as set forth in attached shortage sharing table. If flows at La Puente Gage drop below 20 cfs, shortage sharing will be suspended because, at such low flows, shortage sharing is expected to be ineffective.
2. Use of stored water. The Acéquias Norteñas agree to assist the RCAA in securing storage of San Juan-Chama Project Water for the benefit of the RCAA. Such stored water shall be used first before shortage sharing would commence. Stored water will be used efficiently to delay as long as possible the commencement of shortage sharing.
3. Diversion requirements. Maximum monthly diversion requirements are calculated using the State Engineer's proposed Project Delivery Requirements (PDR). Although the shortage sharing table is based upon the State Engineer's PDR figures, no party is waiving its right to object in the adjudication to the proposed PDR or other proposed irrigation requirement amounts.
4. Internal Rotation. Ditches in the Upper Chama may voluntarily work together to allocate the supply among themselves (for example by employing ditch rotation), so long as the total diversion of participating ditches does not exceed the total maximum diversion allowable to those ditches.
5. Minimum diversion for livestock and domestic. No ditch will be required to reduce diversions below a minimum amount sufficient for livestock and domestic uses, expected to be in the range of 1-2 cfs.
6. Administration by State Engineer. The purpose of this agreement is to provide terms to be adopted and administered by the State Engineer. In addition, the parties will request that the State Engineer administer impoundments of water for ponds in the Upper Chama not supplied by diversions described in paragraph 5.